

## ADJUDICATION OF FACTS OF PARENTAGE

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### Can the Office of Vital Records change the father's information listed on my child's birth certificate?

The Office of Vital Records (OVR) cannot amend the registered certificate of birth to change the father's (or mother's) name without a court order adjudication of the facts of parentage.

### What is an adjudication of the facts of parentage?

An adjudication of the facts of parentage is where the court makes a determination as to the existence or nonexistence of the parent and child relationship.

### How do I obtain an adjudication from the court?

OVR suggests you contact a family law attorney for legal counsel on paternity issues. You may also want to access the following web site for additional information about the court process: [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov).

### Once I obtain a court order determining the facts of parentage, how do I get my child's birth certificate amended?

After a court determination of the facts of parentage, an *Application to Amend a Birth Record – Adjudication of Facts of Parentage* (VS 21) may be submitted to OVR pursuant to Health & Safety Code Section 102725.

***Health & Safety Code Section 102725 provides:*** “Whenever the existence or nonexistence of the parent and child relationship has been determined by the court of this state or a court of another state, and upon receipt of a certified copy, application, and payment of the required fee, the State Registrar shall establish a new birth certificate for such child in the manner prescribed in Article 1 (commencing with Section 102625), if the original record of birth is on file in the office of the State Registrar.”

You must submit the completed VS 21 application form, a certified copy of the final decree of the adjudication order, and the appropriate fee to the Office of Vital Records, P.O. Box 730241, Sacramento, CA 94244-0241.

### What is the fee to amend my child's birth certificate after adjudication?

There is a processing fee of \$20.00, which includes one certified copy. Additional certified copies are \$15.00 each.

## What information can I change with an Adjudication of Facts of Parentage form?

The *Adjudication of Facts of Parentage* form can **only** be used to:

- Change the current father's information to that of the court ordered father's information.
- Change the child's last name to that of the established father's, **if it is so ordered in the court order** of adjudication. You should make sure the child's **full name** as it appears on the original birth certificate is listed correctly in the court order.

## Once my child's birth certificate is amended after adjudication, what happens to the original birth certificate?

When the court adjudicates parentage, OVR will replace your child's original birth certificate with a new birth certificate. The original birth certificate is then sealed and available only upon order of the court.

**Health & Safety Code Section 102730.5 provides:** *"All records and information specified in this article, other than the newly issued birth certificate, shall be available only upon order of the court of record."*

## How long will it take to obtain my child's new birth certificate?

Due to a current backlog of pending amendments, all requests are processed in the order received. The current processing time is approximately ten months. Please note that processing times are subject to change without notice.

## Where do I get a VS 21 form?

We are unable to provide this form online. However, you can request that a form be mailed to you by clicking on [OVRform@dhs.ca.gov](mailto:OVRform@dhs.ca.gov) and providing us with your name, mailing address, and the form number you wish to receive. You may also obtain the form from the [County Recorder](#) or the [County Health Department](#) located in any California county. Xeroxed copies of the form are not acceptable.

## How do I complete the VS 21 application form?

There are two parts to the VS 21.

Items 1A-1C in **PART I** are to be completed **exactly** as they appear on your child's original birth certificate. If you need a copy of your child's original birth certificate to complete this section, you may obtain a copy by completing an [Application for Certified Copy of Birth Record](#) and submitting the application to OVR, along with the \$15.00 fee. The processing time for obtaining a certified

copy from OVR is approximately 14 weeks; however, you may obtain a certified copy from the [County Recorder](#) in the county where your child was born in a much timelier manner.

**PART II** must be completed using the information reflected in the court order for the child's name and father's information. Please make sure the child's **full name** is listed correctly in the order.

It is best to complete the VS 21 with a typewriter. If you do not have a typewriter, please complete the application in durable black ink and be sure to write legibly so OVR staff can easily read the information. Remember, this information will be used to prepare your child's new birth certificate.

[Can I submit a photocopy of the court order?](#)

No. The court order must be a **certified copy** of the Order Adjudicating Parentage, issued by the court that granted the order. The certified copy must have an *original seal* and an *original signature* of the court clerk, and must be a certified copy of the order with the written signature of the judge – not a certified copy of an order that contains a stamped or printed name.

[Is there a number I can call if I have questions about this process?](#)

If you have questions about amending your child's birth certificate after the adjudication process, please call (916) 557-6075 and leave your name and telephone number. One of our staff will return your call within 48 hours.